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September 2, 2021

By ECF

Honorable Paul A. Engelmayer
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *United States v. Donnell Bruns*, 21 Cr. 499 (PAE)

Your Honor:

I represent Donnell Bruns in the above-captioned case and I write respectfully to request authorization for a CJA expenditure of approximately \$700 to purchase a laptop that my client can use to review discovery and which, later, can be turned over to the Administrative Office of the United States Courts to be used by defendants in future cases.

Much of the discovery that the government intends to produce consists of video and audio that can only be viewed and heard on a computer. Some of it will be marked as Sensitive Disclosure Material, meaning that Mr. Bruns can only review it in the presence of counsel or a paralegal. Mr. Bruns does not have a computer. The government will permit me to let a paralegal Zoom with Mr. Bruns and share her screen, allowing Mr. Bruns to review discovery in her presence without possessing it himself or being able to copy it. This procedure complies with the terms in the Protective Order, Dkt. 54.

I conferred with Alan Nelson, and he believes this is an appropriate case for the laptop pilot project. In the past, I have had a laptop shipped directly to my client, who then returned it to me upon sentencing and I then provided it to Mr. Nelson for use in future cases. Mr. Nelson tells me that all available laptops are presently in use. I spoke with Julie de Almeida, a coordinating discovery attorney, who identified a laptop she believes is appropriate for these purposes – a Lenovo Idea Pad with 16 gigabytes of RAM. Ms. de Almeida advises that the Administrative Office of the United States Courts has been satisfied with this model as sufficient to be used in multiple subsequent cases for the coming years.

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For the foregoing reasons, I respectfully request authorization for a CJA expenditure of approximately \$700 to purchase a laptop for Mr. Bruns to use to review discovery and to return for future CJA use at a later time. I have attached a proposed order modeled on one signed recently by the Honorable Denise L. Cote in *United States v. Uko*, 20 Cr. 179 (DLC) (S.D.N.Y. Feb. 5, 2020), Dkt. 163. I am available to answer any questions. Thank you for your consideration.

Respectfully submitted,


/s/ Benjamin Silverman
Benjamin Silverman

cc: Counsel of record (by ECF)

GRANTED. The Clerk of Court is requested to terminate the motion at Dkt. No. 57.

9/3/2021

SO ORDERED.



PAUL A. ENGELMAYER
United States District Judge

Exhibit A

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X		
UNITED STATES OF AMERICA,	:	21 Cr. 499 (PAE)
	:	
-against-	:	[Proposed] Order
	:	
DONNELL BRUNS,	:	
	:	
Defendant.	:	
-----X		

PAUL A. ENGELMAYER, District Judge:

On September 2, 2021, CJA counsel requested approval for the use of CJA funds to purchase a laptop for defendant Donnell Bruns to review discovery materials produced by the government. Defense counsel represents that without this laptop the defendant will be unable to review effectively the discovery material that the Government has produced. It is hereby

ORDERED that defense counsel's request for CJA funds to purchase a laptop for the defendant to review discovery is granted.

IT IS FURTHER ORDERED that the defendant shall abide by the terms of the Protective Order concerning all Disclosure Material and Sensitive Disclosure Material (as those terms are defined in the Protective Order) placed on the laptop.

IT IS FURTHER ORDERED that the defendant may not use the laptop for any purpose other than reviewing discovery materials produced in this case, for communicating with his CJA counsel, and for other communications relating to his defense in this case.

IT IS FURTHER ORDERED that no later than the conclusion of the proceedings against the defendant in the district court, whether through dismissal of the charges against the defendant or the sentencing of the defendant, the defendant shall return the laptop to his counsel, who will promptly provide it to the Administrative Office of the U.S. Courts. If the defendant is convicted following a trial, however, he may retain the laptop during any appeal.

SO ORDERED.

Dated: New York, New York
September __, 2021

HONORABLE PAUL A. ENGELMAYER
United States District Judge